

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHEEMA INVESTMENTS, LLC,

Plaintiff,

vs.

TAMKO BUILDING PRODUCTS, INC., a
Missouri corporation;

Defendant.

4:14CV3067

ORDER

The plaintiff's complaint, originally filed in the District Court for Scotts Bluff County, Nebraska, was removed to this forum on March 28, 2014. The defendant claims this court has diversity jurisdiction because:

- the plaintiff is a Nebraska Limited Liability Corporation with its principal place of business in Scotts Bluff County, Nebraska, and is therefore a Nebraska citizen
- the defendant is a Missouri corporation with its principal place of business located in Joplin, Missouri, and is therefore a Missouri citizen; and
- the amount in controversy exceeds \$75,000.

([Filing No. 1, at CM/ECF p. 2](#)). See 28 U.S.C. § 1332(a). The plaintiff has moved to remand, asserting the amount in controversy is less than \$75,000. ([Filing No. 7](#)).

The parties have agreed that complete diversity of citizenship exists. However, the plaintiff is an LLC, and the citizenship of an LLC is determined by the citizenship of its members. [GMAC Commercial Credit LLC v. Dillard Dept. Stores, Inc., 357 F.3d 827 \(8th Cir. 2004\)](#). The court has located nothing of record identifying plaintiff's members and their citizenship, and cannot determine if complete diversity exists. The court will not issue an opinion on the plaintiff's motion for remand until the record is complete. Accordingly,

IT IS ORDERED that on or before May 19, 2014, the plaintiff shall file a [Corporate Disclosure Statement](#) for civil cases, a copy of which is attached.

May 9, 2014.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

NEDC Corporate Disclosure Statement pursuant to Fed. R. Civ. P. 7.1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

_____,)
)
Plaintiff(s),)
)
v.) CASE NO. _____
)
_____,)
)
Defendant(s).)

**DISCLOSURE OF CORPORATE AFFILIATIONS,
FINANCIAL INTEREST, AND BUSINESS ENTITY CITIZENSHIP**

Pursuant to Federal Rule of Civil Procedure 7.1 and *GMAC Commercial Credit*

LLC v. Dillard Department Stores, Inc., 357 F.3d 827, 828 (8th Cir. 2004), _____

_____, makes the following disclosures concerning
parent

(Party Name)

companies, subsidiaries, partners, limited liability entity members and managers, affiliates, and

similar entities, as well as unincorporated associations or similar entities.

[INSTRUCTIONS: Check the applicable box or boxes, and fill in any required information.]

This party is an individual.

This party is a publicly held corporation or other publicly held entity.

This party has parent corporations

If yes, identify all parent corporations, including grandparent and great-grandparent corporations:

NEDC Corporate Disclosure Statement pursuant to Fed. R. Civ. P. 7.1

- Ten percent or more of the stock of a party is owned by a publicly held corporation or other publicly held entity.

If yes, identify all such owners:

- Another publicly held corporation or another publicly held entity has a direct financial interest in the outcome of the litigation.

If yes, identify all corporations or entities and the nature of their interest:

- This party is a limited liability company or limited liability partnership.

If yes, identify each member of the entity and the member's state of citizenship:

- This party is an unincorporated association or entity.

If yes, identify the members of the entity and their states of citizenship:

Additional information:

Date: _____
(Signature)

CERTIFICATE OF SERVICE

I hereby certify that on _____, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following: _____,

and I hereby certify that I have mailed by United States Postal Service the document to the following CM/ECF participants: _____.

s/ _____